

----- LAW OFFICES -----



NEW JERSEY
NEW YORK

61 SOUTH PARAMUS ROAD, SUITE 250
PARAMUS, NEW JERSEY 07652

THOMAS A. ABBATE
TABBATE@DECOTIISLAW.COM
201.907-5294

TELEPHONE: (201) 928-1100
TELEFAX: (201) 928-0588
WWW.DECOTIISLAW.COM

Via CM/ECF

February 21, 2021

Hon. James B. Clark, III, U.S.M.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Mario Rosario v. Officer Carmelo Jimenez, et als.
Civil Action No.: 19-16700 (JMV)(JBC)

Dear Magistrate Judge Clark:

We represent defendants Officer Carmelo Jimenez, Officer Jessica De Jesus, the City of Perth Amboy, and the Perth Amboy Police Department (collectively, the “Perth Amboy Defendants”) in the above-captioned matter. This case is listed for a status conference before Your Honor on February 22, 2021 at 10:30 a.m. I write to advise the Court that the Perth Amboy Defendants have resolved Plaintiff’s claims in principle and, subject to the approval of the City Council, intend to execute a formal settlement agreement, followed by entry of a stipulation of dismissal in the near future. The contemplated settlement agreement envisions a dismissal of all parties with prejudice, include the federal government and its agents. In order to permit sufficient time for the proposed settlement to be presented to the City Council, we ask that the Court enter a 60-day dismissal without prejudice. It would appear that the status conference scheduled for tomorrow is no longer necessary, and we ask that it be cancelled. Thank you for Your Honor’s consideration of the foregoing.

Very truly yours,

**DECOTIIS, FITZPATRICK,
COLE & GIBLIN, LLP**

By: /s Thomas A. Abbate

cc: All counsel of record (via CM/ECF)